

Mark A. Robertson
 FULBRIGHT & JAWORSKI L.L.P.
 666 Fifth Avenue
 New York, New York 10103
 Telephone: 212-318-3000
 Telecopier: 212-318-3400

MAR 19 2008

Attorneys for Defendants Stewart Title Insurance Company,
 Monroe Title Insurance Corporation and
 Stewart Information Services Corporation

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

----- GERRY GALIANO, on behalf of himself and all others similarly situated, Plaintiffs, - against - FIDELITY NATIONAL TITLE INSURANCE, COMPANY, et al., Defendants. -----	x: : 08 Civ. 1317 (KMK) <u>NOTICE OF MOTION</u> S.D. OF N.Y. 2008 MAR 19 PM 1:51
--	---

'PLEASE TAKE NOTICE that upon the annexed Declaration of David M. Foster, that Defendants Stewart Title Insurance Company, Monroe Title Insurance Corporation, and Stewart Information Services Corporation by their undersigned counsel, Mark A. Robertson, a member of the bar of this Court and a partner in the law firm of Fulbright & Jaworski L.L.P., will move this Court at such time as is designated by the court, pursuant to the Local Rules of the United States District Court for the Southern District of New York, for an Order admitting David M. Foster of Fulbright & Jaworski L.L.P., Market Square, 801 Pennsylvania Avenue, NW, Washington, D.C. 20004.

Dated: New York, New York
March 19, 2008

Respectfully submitted,

By:


Mark A. Robertson (MR8906)
Fulbright & Jaworski L.L.P.
666 Fifth Avenue
New York, New York 10103-3198
Telephone: 212.318.3000
Facsimile: 212.318.3400
E-Mail: mrobertson@fulbright.com

David M. Foster (*pro hac vice pending*)
George A. Gasper (*pro hac vice pending*)
Fulbright & Jaworski L.L.P.
Market Square
801 Pennsylvania Avenue, NW
Washington, D.C. 20004-2623
Telephone: 202-662-0200
Facsimile: 202-662-4643
E-Mail David M. Foster: dfoster@fulbright.com
E-Mail George A. Gasper: gasper@fulbright.com

CERTIFICATE OF SERVICE

I certify that a true and correct copy of Defendants Stewart Title, Monroe Title, and Stewart Information's Notice of Motion for Admission Pro Hac Vice of David A. Foster was served on March 19, 2008, by United States Mail, return receipt requested on the following:

Richard W. Cohen, Esq.
Barbara Hart, Esq.
Peter D. St. Phillip, Jr.
Scott Papp, Esq.
Lowey Dannenberg Cohen & Hart, P.C.
One North Broadway, Suite 509
White Plains, New York 10601-2310

Kevin J. Arquit, Esq.
Barry R. Ostrager, Esq.
Simpson Thacher & Bartlett LLP
425 Lexington Avenue
New York, New York 10017-3954

Jamie I. Serota, Esq.
Greenberg Traurig, LLP
Met Life Building
200 Park Avenue
New York, New York 10166-0193

John Herfort, Esq.
James L. Hallowell, Esq.
Gibson, Dunn & Crutcher LLP
200 Park Avenue
New York, New York 10166-0193

Phillip E. Stano, Esq.
Sutherland Asbill & Brennan LLP
1275 Pennsylvania Avenue, NW
Washington, D.C. 20004-2415



Mark A. Robertson

Mark A. Robertson
 FULBRIGHT & JAWORSKI L.L.P.
 666 Fifth Avenue
 New York, New York 10103
 Telephone: 212-318-3000
 Telecopier: 212-318-3400

Attorneys for Defendants Stewart Title Insurance Company,
 Monroe Title Insurance Corporation and
 Stewart Information Services Corporation

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

	-----X:
GERRY GALIANO, on behalf	:
of himself and all others similarly situated,	:
	08 Civ. 1317 (KMK)
Plaintiffs,	:
- against -	:
FIDELITY NATIONAL TITLE INSURANCE,	:
COMPANY, et al.,	:
	<u>DECLARATION OF</u>
	<u>MARK A. ROBERTSON</u>
	<u>IN SUPPORT OF</u>
	<u>MOTION TO ADMIT</u>
	<u>DAVID M. FOSTER</u>
	<u>PRO HAC VICE</u>
Defendants.	:

1. I am a partner in the law firm of Fulbright & Jaworski L.L.P., counsel for Defendants Stewart Title Insurance Company, Monroe Title Insurance Corporation and Stewart Information Services Corporation. I am familiar with the proceedings in this case. I make this declaration based on my personal knowledge of the facts and in support of the motion to admit David M. Foster as counsel *pro hac vice* to represent Defendants Stewart Title Insurance Company, Monroe Title Insurance Corporation and Stewart Information Services Corporation in this matter.
2. I am a member in good standing of the bar of this Court.
3. I have known Mr. Foster since at least 1993.

4. I have found Mr. Foster to be a skilled attorney and a person of integrity. He is experienced in Federal Practice and is familiar with the Federal Rules of Civil Procedure.

5. Accordingly, I am pleased to move the admission of Mr. Foster *pro hac vice*.

6. I submit a proposed order granting the admission of David M. Foster *pro hac vice*, which is attached hereto as Exhibit A.

I declare under penalty of perjury that the foregoing is true and correct.



Mark A. Robertson

CERTIFICATE OF SERVICE

I certify that a true and correct copy of Declaration of David M. Foster in Support of Motion for Admission Pro Hac Vice was served on March 19, 2008, by United States Mail, return receipt requested on the following:

Richard W. Cohen, Esq.
 Barbara Hart, Esq.
 Peter D. St. Phillip, Jr.
 Scott Papp, Esq.
 Lowey Dannenberg Cohen & Hart, P.C.
 One North Broadway, Suite 509
 White Plains, New York 10601-2310

Kevin J. Arquit, Esq.
 Barry R. Ostrager, Esq.
 Simpson Thacher & Bartlett LLP
 425 Lexington Avenue
 New York, New York 10017-3954

Jamie I. Serota, Esq.
 Greenberg Traurig, LLP
 Met Life Building
 200 Park Avenue
 New York, New York 10166-0193

John Herfort, Esq.
 James L. Hallowell, Esq.
 Gibson, Dunn & Crutcher LLP
 200 Park Avenue
 New York, New York 10166-0193

Phillip E. Stano, Esq.
Sutherland Asbill & Brennan LLP
1275 Pennsylvania Avenue, NW
Washington, D.C. 20004-2415



Mark A. Robertson

Mark A. Robertson
FULBRIGHT & JAWORSKI L.L.P.
666 Fifth Avenue
New York, New York 10103
Telephone: 212-318-3000
Telecopier: 212-318-3400

Attorneys for Defendants Stewart Title Insurance Company,
Monroe Title Insurance Corporation and
Stewart Information Services Corporation

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x:
GERRY GALIANO, on behalf : 08 Civ. 1317 (KMK)
of himself and all others similarly situated, :
: Plaintiffs, :
: - against - :
: FIDELITY NATIONAL TITLE INSURANCE, :
COMPANY, et al., : Defendants. :
-----x

ORDER GRANTING ADMISSION *PRO HAC VICE*

Upon the motion of Stewart Title Insurance Company, Monroe Title Insurance Corporation and Stewart Information Services Corporation and the declaration and the Certificates of Good Standing submitted to this Court;

IT IS HEREBY ORDERED that David M. Foster of Fulbright & Jaworski L.L.P., upon payment of the requisite fee to the Clerk of the Court, is admitted to practice *pro hac vice* before this Court in the above-captioned proceedings on behalf of Stewart Title Insurance Company, Monroe Title Insurance Corporation and Stewart Information Services Corporation.

United States District Judge

Dated: March __, 2008

Mark A. Robertson
 FULBRIGHT & JAWORSKI L.L.P.
 666 Fifth Avenue
 New York, New York 10103
 Telephone: 212-318-3000
 Telecopier: 212-318-3400

Attorneys for Defendants Stewart Title Insurance Company,
 Monroe Title Insurance Corporation and
 Stewart Information Services Corporation

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

	-----x:
GERRY GALIANO, on behalf	:
of himself and all others similarly situated,	:
	:
Plaintiffs,	:
	:
- against -	:
	:
FIDELITY NATIONAL TITLE INSURANCE,	:
COMPANY, et al.,	:
	:
Defendants.	:
	-----x

**DECLARATION OF DAVID M. FOSTER IN SUPPORT
 OF MOTION FOR ADMISSION PRO HAC VICE**

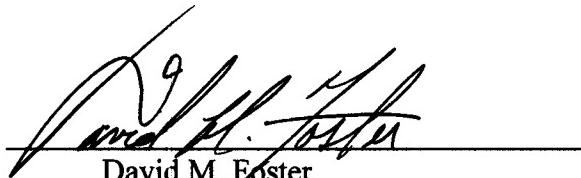
1. I am a partner in the law firm of Fulbright & Jaworski L.L.P.
2. I submit this affidavit in support of the motion for admission to practice *pro hac vice* in the above captioned matter.
3. I am an attorney at law admitted to practice in and in good standing with the Bars of the District of Columbia and the Commonwealth of Virginia. Certificates of good standing are attached from those jurisdictions, from the United States District Court for the District of Columbia, and from the United States Court of Appeals for the District of Columbia Circuit.

4. No pending disciplinary proceedings exist against me in any State or Federal Court. I have never been disciplined or disbarred by any Court.

5. I respectfully request that I be permitted to appear as counsel and advocate *pro hac vice* in this case.

6. I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 19, 2008



David M. Foster
Fulbright & Jaworski L.L.P.
801 Pennsylvania Avenue, NW
Washington, D.C. 20004-2623
Telephone: 202-662-0200
Facsimile: 202-662-4643
E-Mail: dfoster@fulbright.com

CERTIFICATE OF SERVICE

I certify that a true and correct copy of Declaration of David M. Foster in Support of Motion for Admission Pro Hac Vice was served on March 19, 2008, by United States Mail, return receipt requested on the following:

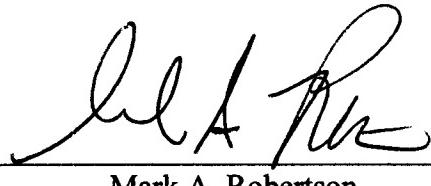
Richard W. Cohen, Esq.
Barbara Hart, Esq.
Peter D. St. Phillip, Jr.
Scott Papp, Esq.
Lowey Dannenberg Cohen & Hart, P.C.
One North Broadway, Suite 509
White Plains, New York 10601-2310

Kevin J. Arquit, Esq.
Barry R. Ostrager, Esq.
Simpson Thacher & Bartlett LLP
425 Lexington Avenue
New York, New York 10017-3954

Jamie I. Serota, Esq.
Greenberg Traurig, LLP
Met Life Building
200 Park Avenue
New York, New York 10166-0193

John Herfort, Esq.
James L. Hallowell, Esq.
Gibson, Dunn & Crutcher LLP
200 Park Avenue
New York, New York 10166-0193

Phillip E. Stano, Esq.
Sutherland Asbill & Brennan LLP
1275 Pennsylvania Avenue, NW
Washington, D.C. 20004-2415



Mark A. Robertson



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D.C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia
Court of Appeals, do hereby certify that

DAVID M. FOSTER

was on the 18TH day of DECEMBER, 1981

duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on March
14, 2008.

GARLAND PINKSTON, JR., CLERK

By: M. Charles
Deputy Clerk

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

Certificate of Good Standing

I, Mark J. Langer, Clerk of the United States Court of Appeals for the District of Columbia Circuit, certify that David M. Foster was on the 1st day of November, 1984, duly admitted and qualified as an attorney and counselor of the Court of Appeals, and is now a member of the bar of the Court of Appeals in good standing.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of the Court, at the City of Washington, this 14 day of March, 2008.

FOR THE COURT:

Mark J. Langer, Clerk

BY:

Amy J. Yacsin
Deputy Clerk/CO

**United States District Court
for the District of Columbia
CLERK'S OFFICE
333 Constitution Avenue, NW
Washington, DC 20001**

I, **NANCY M. MAYER-WHITTINGTON**, Clerk of the United States District Court for the District of Columbia, do hereby certify that:

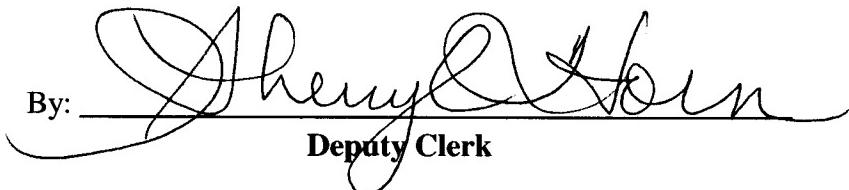
DAVID M. FOSTER

was, on the 6th day of July A.D. 1982 admitted to practice as an Attorney at Law at the Bar of this Court, and is, according to the records of this Court, a member of said Bar in good standing.

In Testimony Whereof, I hereunto subscribe my name and affix the seal of said Court in the City of Washington this 14th day of March A.D. 2008.

NANCY M. MAYER-WHITTINGTON, CLERK

By: _____


Deputy Clerk

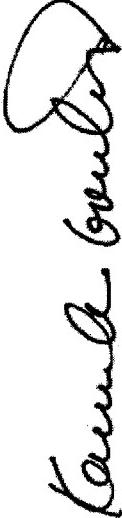


VIRGINIA STATE BAR

CERTIFICATE OF GOOD STANDING

THIS IS TO CERTIFY THAT DAVID MARION FOSTER IS AN ACTIVE MEMBER OF THE VIRGINIA STATE BAR IN
GOOD STANDING. MR. FOSTER WAS LICENSED TO PRACTICE LAW IN VIRGINIA ON MAY 28, 1981, AFTER
SUCCESSFULLY PASSING THE BAR EXAMINATION GIVEN BY THE VIRGINIA BOARD OF BAR EXAMINERS.

Issued March 14, 2008


Karen A. Gould
EXECUTIVE DIRECTOR AND
CHIEF OPERATING OFFICER